

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA, : Case No: 11 CIV 9186
Plaintiff, : Judge Holwell
-v- :
LEBANESE CANADIAN BANK SAL, ELLISSA :
HOLDING COMPANY, HASSAN AYASH EXCHANGE :
COMPANY, CYBAMAR SWISS GMBH, LLC, STE :
NOMEKO SARL, STE MARCO SARL, and THE :
SALHAB TRAVEL AGENCY, :
Defendants; :
ALL ASSETS OF LEBANESE CANADIAN BANK :
SAL OR ASSETS TRACEABLE THERETO; ALL :
ASSETS OF ELLISSA HOLDING COMPANY; ALL :
ASSETS OF HASSAN AYASH EXCHANGE :
COMPANY; ALL ASSETS OF CYBAMAR SWISS :
GMBH, LLC, STE MARCO SARL, STE NOMEKO :
SARL, AND THE SALHAB TRAVEL AGENCY, :
INCLUDING BUT NOT LIMITED TO ALL FUNDS :
ON DEPOSIT IN THE BANK ACCOUNTS AS :
PARTICULARLY DESCRIBED IN SCHEDULE A; :
and ALL ASSETS OF 30 USED CAR BUYERS :
IN THE UNITED STATES LISTED IN :
SCHEDULE A, INCLUDING BUT NOT LIMITED :
PREVIOUSLY ON DEPOSIT AT APPROXIMATELY :
57 BANK ACCOUNTS, AS DESCRIBED IN :
SCHEDULE A, AND ALL PROPERTY TRACEABLE :
THERETO, :
Defendants *In Rem*. :

PREET BHARARA
United States Attorney for the
Southern District of New York
By: Sharon Cohen Levin
Michael D. Lockard
Jason H. Cowley
Alexander J. Wilson
One St. Andrew's Plaza
New York, New York 10007

ARNONE LAW OFFICES
By: Joseph R. Arnone (P68572)
Attorney for Tessir Hazime on behalf of
United Quality Auto Sales, Inc, Detroit, MI
6445 Norborne; Dearborn Heights, MI 48127

ANSWER TO VERIFIED COMPLAINT

Claimant, Tessir Hazime and United Quality Auto Sales, Inc, by and through their attorney Joseph Arnone, and for its Answer to Complaint state as follows:

I. NATURE OF THE ACTION

1. In answering paragraph 1, it is neither admitted or denied based upon lack of knowledge or information.
2. In answering paragraph 2, it is neither admitted or denied based upon lack of knowledge or information.
3. In answering paragraph 3, it is neither admitted or denied based upon lack of knowledge or information.
4. In answering paragraph 4, it is neither admitted or denied based upon lack of knowledge or information.
5. In answering paragraph 5, it is neither admitted or denied based upon lack of knowledge or information.
6. In answering paragraph 6, it is neither admitted or denied based upon lack of knowledge or information.
7. In answering paragraph 7, it is neither admitted or denied based upon lack of knowledge or information.
8. In answering paragraph 8, it is neither admitted or denied based upon lack of knowledge or information.
9. In answering paragraph 9, it is neither admitted or denied based upon lack of knowledge or information.

II. JURISDICTION AND VENUE

10. In answering paragraph 10, it is denied.
11. In answering paragraph 11, it is denied.

III. STATUTORY AUTHORITIES

12. In answering paragraph 12, it is neither admitted or denied based upon lack of knowledge or information.
13. In answering paragraph 13, it is neither admitted or denied based upon lack of knowledge or information.

The Terrorism Sanctions Regulations

14. In answering paragraph 14, it is neither admitted or denied based upon lack of knowledge or information.
15. In answering paragraph 15, it is neither admitted or denied based upon lack of knowledge or information.
16. In answering paragraph 16, it is neither admitted or denied based upon lack of knowledge or information.
17. In answering paragraph 17, it is neither admitted or denied based upon lack of knowledge or information .
18. In answering paragraph 18, it is neither admitted or denied based upon lack of knowledge or information.

The Foreign Terrorist Organizations Sanctions Regulations

19. In answering paragraph 19, it is neither admitted or denied based upon lack of knowledge or information.
20. In answering paragraph 20, it is neither admitted or denied based upon

lack of knowledge or information.

21. In answering paragraph 21, it is neither admitted or denied based upon lack of knowledge or information.
22. In answering paragraph 22, it is neither admitted or denied based upon lack of knowledge or information.

The Global Terrorism Sanctions Regulations

23. In answering paragraph 23, it is neither admitted or denied based upon lack of knowledge or information.
24. In answering paragraph 24, it is neither admitted or denied based upon lack of knowledge or information.
25. In answering paragraph 25, it is neither admitted or denied based upon lack of knowledge or information.
26. In answering paragraph 26, it is neither admitted or denied based upon lack of knowledge or information.
27. In answering paragraph 27, it is neither admitted or denied based upon lack of knowledge or information.
28. In answering paragraph 28, it is neither admitted or denied based upon lack of knowledge or information.

Iran and Syria Nonproliferation Act

29. In answering paragraph 29, it is neither admitted or denied based upon lack of knowledge or information.

IV. PROBABLE CAUSE FOR FORFEITURE

A. Overview of Money Laundering Scheme

30. In answering paragraph 30, it is neither admitted or denied based upon

lack of knowledge or information.

31. In answering paragraph 31, it is neither admitted or denied based upon lack of knowledge or information.
32. In answering paragraph 32, it is neither admitted or denied based upon lack of knowledge or information.

B. Hizballah

33. In answering paragraph 33, it is neither admitted or denied based upon lack of knowledge or information.
34. In answering paragraph 34, it is neither admitted or denied based upon lack of knowledge or information.
35. In answering paragraph 35, it is neither admitted or denied based upon lack of knowledge or information.
36. In answering paragraph 36, it is neither admitted or denied based upon lack of knowledge or information.
37. In answering paragraph 37, it is neither admitted or denied based upon lack of knowledge or information.

C. Narcotics Trafficking in West Africa

38. In answering paragraph 38, it is neither admitted or denied based upon lack of knowledge or information.
39. In answering paragraph 39, it is neither admitted or denied based upon lack of knowledge or information.
40. In answering paragraph 40 including all sub parts thereto, it is neither

admitted or denied based upon lack of knowledge or information.

D. Lebanese Canadian Bank

41. In answering paragraph 41, it is neither admitted or denied based upon lack of knowledge or information.
42. In answering paragraph 42, it is neither admitted or denied based upon lack of knowledge or information.
43. In answering paragraph 43, it is neither admitted or denied based upon lack of knowledge or information.
44. In answering paragraph 44 including all sub parts thereto, it is neither admitted or denied based upon lack of knowledge or information.
45. In answering paragraph 45 including all sub parts thereto, it is neither admitted or denied based upon lack of knowledge or information.

E. Hassan Ayash Exchange Company

46. In answering paragraph 46, it is neither admitted or denied based upon lack of knowledge or information.
47. In answering paragraph 47, it is neither admitted or denied based upon lack of knowledge or information.
48. In answering paragraph 48, it is neither admitted or denied based upon lack of knowledge or information.
49. In answering paragraph 49, it is neither admitted or denied based upon lack of knowledge or information.

F. The Ellissa Exchange, Ellissa Shipping Company, and Ellissa Car Parc in Cotonou

50. In answering paragraph 50, it is neither admitted or denied based upon

lack of knowledge or information.

51. In answering paragraph 51, it is neither admitted or denied based upon lack of knowledge or information.

G. Transfers from Ayash, Ellissa and Others to the United States to Buy and Ship Used Cars

52. In answering paragraph 52, it is neither admitted or denied based upon lack of knowledge or information.
53. In answering paragraph 53, it is neither admitted or denied based upon lack of knowledge or information.
54. In answering paragraph 54, it is neither admitted or denied based upon lack of knowledge or information.

H. Cybamar Swiss Family of Companies

55. In answering paragraph 55, it is neither admitted or denied based upon lack of knowledge or information.
56. In answering paragraph 56, it is neither admitted or denied based upon lack of knowledge or information.
57. In answering paragraph 57, it is neither admitted or denied based upon lack of knowledge or information.
58. In answering paragraph 58, it is neither admitted or denied based upon lack of knowledge or information.
59. In answering paragraph 59, it is neither admitted or denied based upon lack of knowledge or information.

I. The Link Between U.S. Car Buyers and the Salhab West African Bulk Money Courier Network

60. In answering paragraph 60, it is neither admitted or denied based upon

lack of knowledge or information.

61. In answering paragraph 61, it is neither admitted or denied based upon lack of knowledge or information.
62. In answering paragraph 62, it is neither admitted or denied based upon lack of knowledge or information.
63. In answering paragraph 63, it is neither admitted or denied based upon lack of knowledge or information.

J. Movement of Hundreds of millions of Dollars from West Africa to Lebanon

64. In answering paragraph 64, it is neither admitted or denied based upon lack of knowledge or information.
65. In answering paragraph 65, it is neither admitted or denied based upon lack of knowledge or information.
66. In answering paragraph 66, it is neither admitted or denied based upon lack of knowledge or information.
67. In answering paragraph 67, it is neither admitted or denied based upon lack of knowledge or information.
68. In answering paragraph 68, it is neither admitted or denied based upon lack of knowledge or information.
69. In answering paragraph 69, it is neither admitted or denied based upon lack of knowledge or information.
70. In answering paragraph 70, it is neither admitted or denied based upon lack of knowledge or information.
71. In answering paragraph 71, it is neither admitted or denied based upon

lack of knowledge or information.

72. In answering paragraph 72, it is neither admitted or denied based upon lack of knowledge or information.
73. In answering paragraph 73, it is neither admitted or denied based upon lack of knowledge or information.
74. In answering paragraph 74, it is neither admitted or denied based upon lack of knowledge or information.
75. In answering paragraph 75, it is neither admitted or denied based upon lack of knowledge or information.

K. Used Car Buyers in the U.S. Receive Wire Transfers for Buying and Shipping Used Cars as Part of the Money Laundering Scheme

76. In answering paragraph 76, it is neither admitted or denied based upon lack of knowledge or information.
77. In answering paragraph 77 including all sub parts thereto, it is neither admitted or denied based upon lack of knowledge or information.
78. In answering paragraph 78, it is neither admitted or denied based upon lack of knowledge or information.

V. CLAIMS FOR FORFEITURE

First Claim for Forfeiture—Proceeds Traceable to
Violations of IEEPA
(18 USC §981(a)(1)(c))

79. No response necessary.
80. In answering paragraph 80, it is neither admitted or denied based upon lack of knowledge or information.
81. In answering paragraph 81, it is neither admitted or denied based upon

lack of knowledge or information.

82. In answering paragraph 82 including all sub parts thereto, it is neither admitted or denied based upon lack of knowledge or information.
83. In answering paragraph 83, it is neither admitted or denied based upon lack of knowledge or information.

Second Claim for Forfeiture—Property Involved In and Traceable
to Money Laundering Transactions
(18 USC §981(a)(1)(A))

84. No response necessary.
85. In answering paragraph 85, it is neither admitted or denied based upon lack of knowledge or information.
86. In answering paragraph 86, it is neither admitted or denied based upon lack of knowledge or information.
87. In answering paragraph 87, it is neither admitted or denied based upon lack of knowledge or information.
88. In answering paragraph 88, it is neither admitted or denied based upon lack of knowledge or information.
89. In answering paragraph 89, it is neither admitted or denied based upon lack of knowledge or information.
90. In answering paragraph 90, it is neither admitted or denied based upon lack of knowledge or information.
91. In answering paragraph 91, it is neither admitted or denied based upon lack of knowledge or information.
92. In answering paragraph 92, it is neither admitted or denied based upon

lack of knowledge or information.

93. In answering paragraph 93, it is neither admitted or denied based upon lack of knowledge or information.
94. In answering paragraph 94, it is neither admitted or denied based upon lack of knowledge or information.

IV. CIVIL MONEY LAUNDERING PENALTIES

95. No response necessary.
96. In answering paragraph 96, it is neither admitted or denied based upon lack of knowledge or information.
97. In answering paragraph 97, it is neither admitted or denied based upon lack of knowledge or information.

WHEREFORE, Claimant, Tessir Hazime on behalf of United Quality Auto Sales, Inc respectfully prays that this Honorable Court dismiss Plaintiff's Complaint.

Respectfully submitted,

By: /s/ Joseph R. Arnone
Joseph R. Arnone
Attorney for Claimant Tessir Hazime on
behalf of United Quality Auto Sales, Inc
22330 Greater Mack Avenue
St. Clair Shores, MI 48080
586-777-7720
Email: joseph@arnone-law.com

Dated: January 27, 2012

AFFIRMATIVE DEFENSES

Claimant, Tessir Hazime and United Quality Auto Sales, Inc., by and through their attorney Joseph Arnone, for its Affirmative Defenses state as follows:

1. The Plaintiff has failed to state a claim upon which relief can be granted.
2. The Plaintiff failed to mitigate its damages.
3. None of the items seized by the Plaintiff are tainted with any criminality.
4. The Plaintiff violated the Defendants' constitutional rights and the property was illegally seized.
5. That the currency illegally seized from the Defendants are not proceeds from illegal activity.
6. Defendants reserve the right to amend these affirmative defenses to add any other defenses not now known but which may become known throughout the course and scope of discovery, up through and including the time of trial.

By: /s/ Joseph R. Arnone
Joseph R. Arnone
Attorney for Claimant Tessir Hazime on
behalf of United Quality Auto Sales, Inc
22330 Greater Mack Avenue
St. Clair Shores, MI 48080
586-777-7720
Email: joseph@arnone-law.com

Dated: January 27, 2012